



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

JMK:AES/GKS
F.#2014R00501

*271 Cadman Plaza East
Brooklyn, New York 11201*

March 6, 2018

By Hand and ECF

Honorable Kiyo A. Matsumoto
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Martin Shkreli
Criminal Docket No. 15-637 (KAM)

Dear Judge Matsumoto:

The parties have met and conferred, and jointly submit this letter pursuant to the Court's order dated February 28, 2018, requiring the parties to advise the Court (1) which of the letters that the Court has received in chambers should the Court consider in making its sentencing determination regarding the defendant Martin Shkreli (at the sentencing hearing scheduled for March 9, 2018), and (2) whether the Court should keep part or all of the letters it received under seal.

First, the parties agree that, pursuant to 18 U.S.C. § 3553(a), the Court should consider any of the letters that the Court has or will receive regarding Shkreli in connection with the sentencing hearing, and afford those letters whatever weight the Court deems appropriate.

Second, the parties agree that the letters should be filed on the public docket, with the following information redacted: (1) the name of the author of each letter, (2) all personally identifiable information ("PII") contained within each letter and (3) any information that details any individual's personal medical history.

Finally, the parties also agree that the communication marked as Court Exhibit 23, which was received by the United States Attorney's Office and was not addressed to the Court, should not be considered by the Court in connection with Shkreli's sentencing nor filed publicly.

Respectfully submitted,

RICHARD P. DONOGHUE
United States Attorney

By: /s/
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cc: All counsel (via ECF)